



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 28, 2025

Via ECF

Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Petróleos de Venezuela, S.A., et al. v. MUFG Union Bank, N.A., et al.*,
No. 19 Civ. 10023 (KPF)

Dear Judge Failla:

We write respectfully on behalf of the United States of America (the “United States” or the “Government”) in connection with the Court’s order issued on July 17, 2025, directing the Government to “file a letter stating its position on the pending cross-motions for summary judgment on or before July 31, 2025.” Dkt. No. 390 at 2. We respectfully request an extension of time until September 12, 2025, to file either (i) a statement of interest expressing the United States’ position on the pending cross-motions, or (ii) a letter advising the Court that the United States does not intend to file such a statement of interest at this time.

Given the importance, complexity, and sensitivity of the issues involved, coupled with the multiple layers of review that must occur within the Department of Justice and other agencies before any potential position is finalized, the United States anticipates that it will need additional time to determine whether to file any statement of interest, and in particular whether it has any views to offer that differ from or add to the statement of interest it previously filed in this matter. *See* Dkt. No. 213 (statement of interest dated September 16, 2020).¹ This Office is in the process of consulting with the Department of State and the Department of the Treasury, and must also consult with and obtain approvals for any submission within the Department of Justice, as the final determination regarding whether the United States will file a statement of interest pursuant to 28 U.S.C. § 517 rests with the Assistant Attorney General of the Justice Department’s Civil Division.

The Government understands based on the transcript of the conference held on July 10, 2025, that the Court intends to resolve the pending motions by the end of September. Dkt. No. 388 (Tr. of Conf. on July 10, 2025) at 7-8.²

¹ For similar reasons, the United States requested—and the Court granted—an extension of the Government’s time to submit its statement of interest in 2020. *See* Dkt. Nos. 144, 204, 205.

² The Court’s July 17 order states that the Government “was invited to attend, but did not attend, the July 10, 2025 telephonic conference.” Dkt. No. 390 at 2. Because the Court’s order scheduling

Hon. Katherine Polk Failla
Page 2

Therefore, the United States respectfully requests that the Court modify its order to allow the Government to file, by September 12, 2025, either (i) a statement of interest expressing the United States' position on the pending cross-motions, or (ii) a letter advising the Court that the United States does not intend to file such a statement of interest at this time.

We thank the Court for its consideration of this request.

Respectfully submitted,

JAY CLAYTON
United States Attorney

By: /s/ Samuel Dolinger
SAMUEL DOLINGER
ANTHONY J. SUN
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, New York 10007
(212) 637-2677/2810
samuel.dolinger@usdoj.gov
anthony.sun@usdoj.gov

cc: Counsel of record (by ECF)

the conference directed the "parties" to appear for a conference "to discuss the issues raised in their letters," Dkt. No. 383, the undersigned did not interpret the order to invite the Government's participation. We apologize for any misunderstanding.

Application GRANTED IN PART. Given the demands of the Court's schedule, the Government shall file either a statement of interest, or a letter advising the Court that it does not intend to file a statement of interest, on or before **August 29, 2025**. Under no circumstances will the Court grant an additional extension request regarding this deadline.

The Clerk of Court is directed to terminate the pending motion at docket entry 391.

Dated: July 28, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE